



Broadcasting Decision CRTC 2006-612

Ottawa, 27 October 2006

Radio communautaire du Saguenay inc.
Saguenay (zone Jonquière and zone La Baie), Quebec

Application 2006-0787-2
Broadcasting Public Notice CRTC 2006-92
24 July 2006

CKAJ-FM Saguenay (zone Jonquière) – New transmitter at Saguenay (zone La Baie)

*The Commission **approves** the application to amend the broadcasting licence of CKAJ-FM Saguenay (zone Jonquière) in order to operate an FM transmitter at Saguenay (zone La Baie). The new transmitter will operate at 99.7 MHz (channel 259A1) with an average effective radiated power of 60 watts.*

The application

1. The Commission received an application by Radio communautaire du Saguenay inc. (Radio communautaire) to amend the broadcasting licence of the French-language community radio programming undertaking CKAJ-FM Saguenay (zone Jonquière) in order to operate an FM transmitter at Saguenay (zone La Baie).
2. The new transmitter would operate at 99.7 MHz (channel 259A1) with an average effective radiated power (ERP) of 60 watts.
3. According to Radio communautaire, the new transmitter is required to serve the majority of the population of the municipality of Saguenay. The applicant further noted that the signal quality in zone La Baie is generally very poor and inadequate, and that the proposed transmitter would ensure excellent signal quality in this zone.

Intervention

4. The Commission received an intervention opposing the application from Mr. Carl Gilbert under the name of GP Média, a corporation to be incorporated. GP Média did not oppose the application to install a transmitter at Saguenay (zone La Baie), but opposed the use of frequency 99.7 MHz, as proposed by Radio communautaire.

5. GP Média noted that, on 27 August 2006, it had filed an application for a broadcasting licence to operate a new French-language commercial FM station at Saguenay (zone La Baie) at 99.9 MHz (channel 260). It submitted that the applicant's proposed frequency of 99.7 MHz is technically incompatible with 99.9 MHz, the frequency proposed by GP Média.
6. GP Média further noted that the applicant is proposing an average ERP of only 125 watts, whereas the class A1 channel could be used at an ERP of 6,000 watts. GP Média therefore submitted that the Radio communautaire proposal represents an under-utilization of the spectrum.

Applicant's reply

7. The applicant replied that it did not want to change to a different frequency because of the costs that such a change would incur for a non-for-profit organization such as Radio communautaire. The applicant stated it would change frequency only if so directed by the Commission by condition of licence.
8. The applicant also noted that GP Média had filed its application for a broadcasting licence to serve zone La Baie on 27 August 2006, which was the day before the deadline for submitting an intervention concerning the current application. The applicant submitted that GP Média had all the time it needed to do the research required to find a frequency that would be compatible with frequencies already being utilized.

Commission's analysis and determination

9. In its examination of the application, the Commission carefully considered the views of the applicant and the intervener.
10. The Commission notes that Radio communautaire is proposing a maximum ERP of 150 watts, not 125 watts as stated in GP Média's intervention. The Commission further notes that the Radio communautaire proposal does not constitute an under-utilization of the spectrum because the maximum ERP for an A1 class station is 250 watts, not 6,000 watts as submitted in GP Média's intervention.
11. The Commission is persuaded that, with the installation of a new transmitter, the population of the new municipality of Saguenay will receive a higher-quality signal as well as a greater choice of signals.
12. In light of the above, the Commission **approves** the application by Radio communautaire du Saguenay inc. to amend the broadcasting licence of French-language community radio programming undertaking CKAJ-FM Saguenay (zone Jonquière) to operate an FM transmitter at Saguenay (zone La Baie). The new transmitter will operate at 99.7 MHz (channel 259A1) with an average ERP of 60 watts.

13. The Commission reminds the licensee that, pursuant to section 22(1) of the *Broadcasting Act*, this authority will only be effective when the Department notifies the Commission that its technical requirements have been met, and that a broadcasting certificate will be issued.
14. The transmitter must be operational at the earliest possible date and in any event no later than 24 months from the date of this decision, unless a request for an extension of time is approved by the Commission before 27 October 2008. In order to ensure that such a request is processed in a timely manner, it should be submitted in writing at least 60 days before that date.

Secretary General

This decision is to be appended to the licence. It is available in alternative format upon request, and may also be examined in PDF format or in HTML at the following Internet site: <http://www.crtc.gc.ca>